

Notice of Allowability

Application No.

09/926,064

Examiner

Alton N. Pryor

Applicant(s)

TAKAHASHI ET AL.

Art Unit

1616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to 10/7/03.
2. ☐ The allowed claim(s) is/are 1,2,4,6-12,14 (claims renumbered 1-11 respectively).
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: _____.
5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
 - (a) ☐ The translation of the foreign language provisional application has been received.
6. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☐ CORRECTED DRAWINGS must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No. _____.
 - (b) ☐ including changes required by the proposed drawing correction filed _____, which has been approved by the Examiner.
 - (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet.

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1 <input type="checkbox"/> Notice of References Cited (PTO-892) | 2 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3 <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 4 <input type="checkbox"/> Interview Summary (PTO-413), Paper No. _____ |
| 5 <input type="checkbox"/> Information Disclosure Statements (PTO-1449), Paper No. _____ | 6 <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 7 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8 <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9 <input type="checkbox"/> Other |



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: TAKAHASHI, Naoyo et al.

Serial No.: 09/926,064

Group Art Unit: 1616

Filed: August 23, 2001

Examiner: Alton N. Pryor

For: PHARMACOLOGICAL ACTION ENHANCER FOR PESTICIDES

P.T.O. Confirmation No.: 9316

REQUEST FOR THE PTO
TO ACKNOWLEDGE RECEIPT OF THE PRIORITY DOCUMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

COPY

Date: February 2, 2004

Sir:

The applicants request the U.S. Patent and Trademark Office to acknowledge receipt of the priority documents from the International Bureau in this national stage PCT application filed under 35 U.S.C. §371.

The attached documents show that the International Bureau properly received the priority documents from the applicant, but the first Office Action dated July 16, 2002 and the Notice of Allowance dated November 3, 2003 do not show any indication that the U.S. Patent and Trademark Office has received the priority document, JP 11/51395 filed on February 26, 1999 from the International Bureau.

The following documents are attached:

1. *Notification Concerning Submission or Transmittal of Priority Document dated April 28, 2000.* This document is an acknowledgment by the International Bureau that it received the priority document.
2. *Notice of Allowance and Fee(s) Due dated November 3, 2003 (2 pages enclosed).*

This document shows a lack of indication as to whether the priority documents have been received by the U.S. Patent and Trademark Office from the International Bureau.

3. *Office Action dated July 16, 2002 (2 pages enclosed)*. This document indicates that as of July 16, 2002, the priority documents had not yet been received from the International Bureau.
4. Filing Receipt dated October 5, 2001 (2 pages enclosed). This established the fact that priority *claimed* on, JP 11/51395 filed on February 26, 1999 was acknowledged.

This does not however, establish the receipt of the priority document.

For national stage applications filed under 35 U.S.C. 371, the International Bureau is supposed to transmit the priority documents to the designated offices, in this case, the U.S. Patent and Trademark Office.

It is therefore requested that the official application file be checked and then it is further requested that the U.S. Patent and Trademark Office acknowledge that the priority documents have been received or are being requested from the International Bureau.

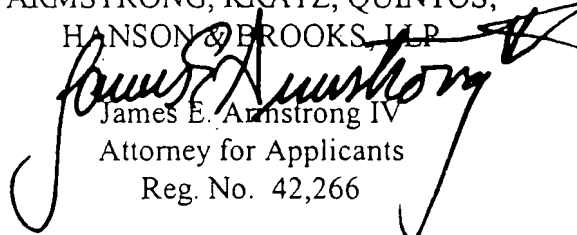
Serial No.: 09/926,064

Docket No. 011047

In the event any fees are required in connection with this paper, please charge Deposit
Account No. 01-2340.

Respectfully submitted,

ARMSTRONG, KRATZ, QUINTOS,
HANSON & BROOKS, LLP


James E. Armstrong IV
Attorney for Applicants
Reg. No. 42,266

JAM/xl

Atty. Docket No. 011047

Suite 1000

1725 K Street, N.W.

Washington, D.C. 20006

(202) 659-2930



23850

PATENT TRADEMARK OFFICE

Enclosures: 1) Notification Concerning Submission or Transmittal of Priority Document
2) Notice of Allowance and Fee(s) Due
3) Office Action dated July 16, 2002
4) Filing Receipt dated October 5, 2001

PATENT COOPERATION TREATY

PCT

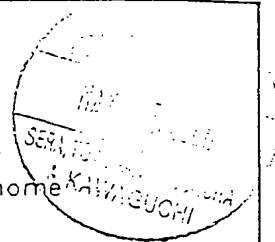
NOTIFICATION CONCERNING
SUBMISSION OR TRANSMITTAL
OF PRIORITY DOCUMENT

(PCT Administrative Instructions, Section 411)

From the INTERNATIONAL BUREAU

To:

TOYAMA, Tsutomu
Yokoyama Building, 6th Floor
4-10, Higashi Nihonbashi 3-chome
Chuo-ku, Tokyo 103-0004
JAPON



Date of mailing (day/month/year) 28 April 2000 (28.04.00)	
Applicant's or agent's file reference 6400P960	IMPORTANT NOTIFICATION
International application No. PCT/JP00/01073	International filing date (day/month/year) 24 February 2000 (24.02.00)
International publication date (day/month/year) Not yet published	Priority date (day/month/year) 26 February 1999 (26.02.99)
Applicant MEIJI SEIKA KAISHA, LTD. et al	

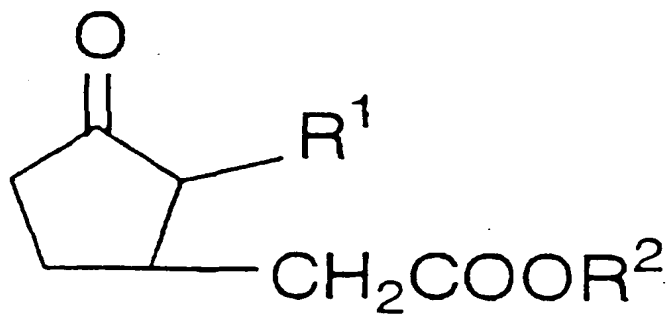
- The applicant is hereby notified of the date of receipt (except where the letters "NR" appear in the right-hand column) by the International Bureau of the priority document(s) relating to the earlier application(s) indicated below. Unless otherwise indicated by an asterisk appearing next to a date of receipt, or by the letters "NR", in the right-hand column, the priority document concerned was submitted or transmitted to the International Bureau in compliance with Rule 17.1(a) or (b).
- This updates and replaces any previously issued notification concerning submission or transmittal of priority documents.
- An asterisk(*) appearing next to a date of receipt, in the right-hand column, denotes a priority document submitted or transmitted to the International Bureau but not in compliance with Rule 17.1(a) or (b). In such a case, the attention of the applicant is directed to Rule 17.1(c) which provides that no designated Office may disregard the priority claim concerned before giving the applicant an opportunity, upon entry into the national phase, to furnish the priority document within a time limit which is reasonable under the circumstances.
- The letters "NR" appearing in the right-hand column denote a priority document which was not received by the International Bureau or which the applicant did not request the receiving Office to prepare and transmit to the International Bureau, as provided by Rule 17.1(a) or (b), respectively. In such a case, the attention of the applicant is directed to Rule 17.1(c) which provides that no designated Office may disregard the priority claim concerned before giving the applicant an opportunity, upon entry into the national phase, to furnish the priority document within a time limit which is reasonable under the circumstances.

<u>Priority date</u>	<u>Priority application No.</u>	<u>Country or regional Office or PCT receiving Office</u>	<u>Date of receipt of priority document</u>
26 Febr 1999 (26.02.99)	11/51395	JP	14 April 2000 (14.04.00)

COPY

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No. (41-22) 740.14.35	Authorized officer Tessadel PAMPLIEGA <i>Tedp</i> Telephone No. (41-22) 338.83.38
--	---



(51) 国際特許分類 A01N 37/42	A1	(11) 国際公開番号 WO00/49872 (43) 国際公開日 2000年8月31日(31.08.00)
(21) 国際出願番号 PCT/JP00/01073 (22) 国際出願日 2000年2月24日(24.02.00) (30) 優先権データ 特願平11/51395 1999年2月26日(26.02.99) JP (71) 出願人 (米国を除くすべての指定国について) 明治製菓株式会社 (MEIJI SEIKA KAISHA, LTD.)(JP/JP) 〒104-8002 東京都中央区京橋二丁目4番16号 Tokyo, (JP) 日本ゼオン株式会社 (NIPPON ZEON CO., LTD.)(JP/JP) 〒100-8323 東京都千代田区丸の内二丁目6番1号 Tokyo, (JP) (72) 発明者 ; および (75) 発明者 / 出願人 (米国についてののみ) 高橋直世(TAKAHASHI, Naoyo)(JP/JP) 安村利雄(YASUMURA, Toshio)(JP/JP) 友田善久(TOMODA, Yoshihisa)(JP/JP) 宇佐美英企(USAMI, Hideki)(JP/JP) 〒350-0289 埼玉県坂戸市千代田5-3-1 明治製菓株式会社 生物科学研究所内 Saitama, (JP)	(74) 代理人 遠山 勉、外(TOYAMA, Tsutomu et al.) 〒103-0004 東京都中央区東日本橋3丁目4番10号 ヨコヤマビル6階 Tokyo, (JP) (81) 指定国 AE, AL, AU, BA, BB, BG, BR, CA, CN, CR, CU, CZ, DM, EE, GD, GE, HR, HU, ID, IL, IN, IS, JP, KP, KR, LC, LK, LR, LT, LV, MA, MG, MK, MN, MX, NO, NZ, PL, RO, SG, SI, SK, TR, TT, UA, US, UZ, VN, YU, ZA, 欧州特許 (AT, BE, CH, CY, DE, DK, ES, FI, FR, GB, GR, IE, IT, LU, MC, NL, PT, SE), OAPI特許 (BF, BJ, CF, CG, CI, CM, GA, GN, GW, ML, MR, NE, SN, TD, TG), ARIPO特許 (GH, GM, KE, LS, MW, SD, SL, SZ, TZ, UG, ZW), ニューラシア特許 (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM) 添付公開書類 国際調査報告書	
(54) Title: PHARMACOLOGICAL EFFECT POTENTIATORS FOR PESTICIDES (54) 発明の名称 農薬の薬理効果促進剤 <div style="text-align: center;">  <p>(I)</p> </div> (57) Abstract Application of a compound selected from among optionally 2-substituted jasmonic acid represented by general formula (I), derivatives thereof or salts of the same to plants makes it possible to potentiate the pharmacological effects of pesticides (bactericides, herbicides, etc.) which are applied to the plants; wherein R ¹ represents alkyl or alkenyl; and R ² represents hydrogen, alkyl, alkenyl, alkynyl or hydroxyalkyl.		



UNITED STATES PATENT AND TRADEMARK OFFICE

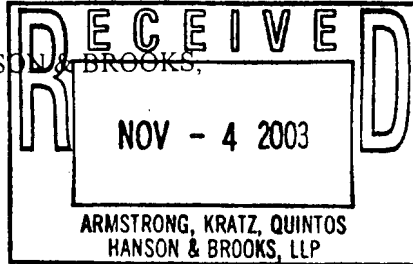


DA9

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

NOTICE OF ALLOWANCE AND FEE(S) DUE

23850 7590 11/03/2003
ARMSTRONG, KRATZ, QUINTOS, HANSON & BROOKS,
LLP
1725 K STREET, NW
SUITE 1000
WASHINGTON, DC 20006



EXAMINER	
PRYOR, ALTON NATHANIEL	
ART UNIT	PAPER NUMBER
1616	
DATE MAILED: 11/03/2003	

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/926,064	08/23/2001	Naoyo Takahashi	011047	9316

TITLE OF INVENTION: PHARMACOLOGICAL EFFECT POTENTIATORS FOR PESTICIDES

Issue Fee Call-up - January 27, 2004

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1330	\$0	\$1330	02/03/2004

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. **PROSECUTION ON THE MERITS IS CLOSED.** THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE REFLECTS A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE APPLIED IN THIS APPLICATION. THE PTOL-85B (OR AN EQUIVALENT) MUST BE RETURNED WITHIN THIS PERIOD EVEN IF NO FEE IS DUE OR THE APPLICATION WILL BE REGARDED AS ABANDONED.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status is changed, pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above and notify the United States Patent and Trademark Office of the change in status, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check the box below and enclose the PUBLICATION FEE and 1/2 the ISSUE FEE shown above.

☐ Applicant claims SMALL ENTITY status.
See 37 CFR 1.27.

II. PART B - FEE(S) TRANSMITTAL should be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). Even if the fee(s) have already been paid, Part B - Fee(s) Transmittal should be completed and returned. If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

DOCKETED	<i>ASW</i>	<i>WF</i>
DATE	11/05/03	

Notice of Allowability



Application No.

09/926,064

Examiner

Alton N. Pryor

Applicant(s)

TAKAHASHI ET AL.

Art Unit

1616

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 - (a) ☐ The translation of the foreign language provisional application has been received.
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 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No. _____.
 - (b) ☐ including changes required by the proposed drawing correction filed _____, which has been approved by the Examiner.
 - (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. _____.

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Attachment(s)

- | | |
|--|---|
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| 3 <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 4 <input type="checkbox"/> Interview Summary (PTO-413), Paper No. _____ |
| 5 <input type="checkbox"/> Information Disclosure Statements (PTO-1449), Paper No. _____ | 6 <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 7 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8 <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9 <input type="checkbox"/> Other |

Seen 11/05/03 FILED 11/05/03 WF



CS

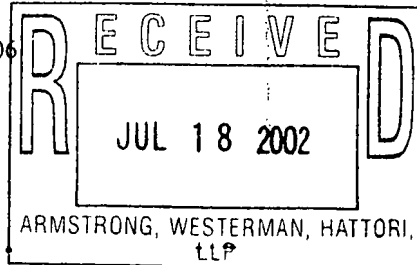
UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/926,064	08/23/2001	Naoyo Takahashi	011047	9316

23850 7590 07/16/2002

ARMSTRONG, WESTERMAN & HATTORI, LLP
1725 K STREET, NW.
SUITE 1000
WASHINGTON, DC 20006



EXAMINER

PRYOR, ALTON NATHANIEL

ART UNIT PAPER NUMBER

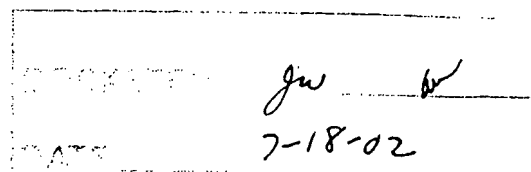
1616

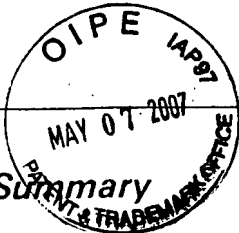
DATE MAILED: 07/16/2002

*Due OCTOBER 16, 2002
FIRST ACTION*

Please find below and/or attached an Office communication concerning this application or proceeding.


COPY





Office Action Summary

Application No. 09/926,064	Applicant(s) Takahashi et al
Examiner Alton Pryor	Art Unit 1616



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Aug 23, 2001
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☒ None of:
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*See the attached detailed Office action for a list of the certified copies not received.
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- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 4,5 6) ☐ Other:



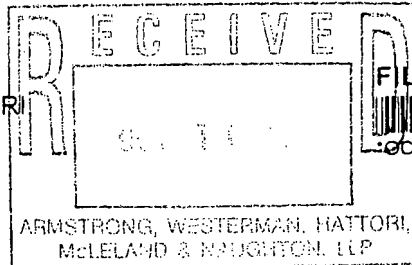
UNITED STATES PATENT AND TRADEMARK OFFICE

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UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/926,064	08/23/2001	1614	1130	011047		7	1

23850

ARMSTRONG, WESTERMAN, HATTORI
MCLELAND & NAUGHTON, LLP
1725 K STREET, NW, SUITE 1000
WASHINGTON, DC 20006



CONFIRMATION NO. 9316

FILING RECEIPT

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Date Mailed: 10/05/2001

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